

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

JOSEPH HARDESTY,

PLAINTIFF,

CASE NO. 1:16-CV-367

vs.

Judge Timothy S. Black

KROGER CO., ET AL.,

DEFENDANT.

CLERK'S MEMORANDUM AS TO BILL OF COSTS

On May 1, 2018, Defendants Kroger Co. and Kroger G.O. LLC filed a Bill of Costs [#74]. Plaintiff, Joseph Hardesty, did not file a response in opposition.

At this time the Clerk finds that the Bill of Costs was timely filed and there is no need for the parties to incur further appearance costs for a hearing or a telephone conference.

Fees for printed or electronically recorded transcripts

The Defendants seek costs in the amount of \$6,111.95 for depositions of Diana Victoriano, Joseph Hardesty, Danielle Williams (Volumes I and II), Brianna Whitlow, Donald “Buck” Moffett, and Rana Schiff.

The Court may assess the costs of taking a deposition in favor of the prevailing party. Depositions used for, or read into the record at, a hearing or trial can be taxed as costs. In addition, depositions that were used in successful motions for summary judgment, motions to dismiss, and motions to quash can be taxed as costs. Depositions must be filed with the Court to be taxed.

The costs listed on the invoices are determined by the Clerk to be taxable.

Therefore, the costs for depositions in the amount of \$6,111.95 are ALLOWED.

In conclusion, the Clerk has ALLOWED costs in the amount of \$6,111.95 .

Pursuant to the provisions in FRCP 54(d), a motion to review the Clerk's taxation of costs must be served within seven (7) days of the taxation of costs.

RICHARD W. NAGEL, CLERK

s/Scott M. Lang
Scott M. Lang, Case Administrator Specialist